

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA :
: CR. No. 04-100ML
: Violation of 21 U.S.C. § 851
v. :
: JOEL FRANCISCO :

INFORMATION CHARGING PRIOR OFFENSE

I, Robert Clark Corrente, United States Attorney for the District of Rhode Island, do accuse the defendant, JOEL FRANCISCO, who was charged by the United States Grand Jury in the District of Rhode Island on the 3rd day of November, 2004 in Count One of an indictment with possession with intent to distribute five hundred grams or more of a mixture and substance containing a detectable amount of cocaine, a schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a) (1) & (b) (1) (B), and in Count Two with possession with intent to distribute fifty grams or more of a mixture and substance containing a detectable amount of cocaine base, a schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a) (1) & (b) (1) (A), of having been previously convicted of two felony drug offenses as described below:

1. On or about February 4, 1998, JOEL FRANCISCO, was convicted in Providence County (Rhode Island) Superior Court (case number P2-1997-2714A) of one count of possession of cocaine, a felony drug offense under state law, and was sentenced

29

to a term of three years to serve in prison (see attached certified copy of the judgment of conviction); and,

2. On or about February 13, 1998, JOEL FRANCISCO, was convicted in Providence County (Rhode Island) Superior Court (case number P2-1998-0402A) of one count of possession of a controlled substance, a felony drug offense under state law, and was sentenced to a term of three years, with one year to serve in prison and two years suspended/probation (see attached certified copy of the judgment of conviction).

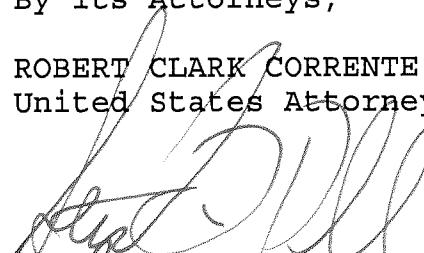
WHEREFORE, the United States of America gives notice under 21 U.S.C. § 851 that defendant JOEL FRANCISCO, has two previous convictions for a felony drug offenses and therefore is subject to a fine of not more than four million dollars and a term of imprisonment of not less than ten years and not more than life imprisonment on Count One and a mandatory term of life without release and a fine of not more than eight million dollars on Count Two.

Respectfully submitted,

UNITED STATES OF AMERICA

By its Attorneys,

ROBERT CLARK CORRENTE
United States Attorney


STEPHEN G. DAMBRUCH
Assistant U.S. Attorney

Certificate of Service

I hereby certify that on the 18th day of April, 2005, a copy of the within "Information Charging Prior Conviction" was mailed, postage prepaid, to Damon D'Ambrosio, Esquire, 1845 Smith Street, North Providence, Rhode Island 02911.

A handwritten signature in black ink, appearing to read "Karen E. Myers", is written over a horizontal line.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, Sc.

SUPERIOR COURT

State of Rhode Island

vs.

CASE NO. P2972714A

JOEL FRANCISCO

JUDGMENT OF CONVICTION
AND COMMITMENT

On this date, 02-04-98 came the attorney for the State,
LYNCH and the defendant who appeared in person and by
counsel, namely DAVID A COOPER before Judge CRESTO

IT IS ADJUDGED that the defendant upon a PLEA of NOLO CONTENDERE
of the offense(s) of:

COUNT 001 POSS COCAINE

TERM TO SERVE 3 Year(s)

INDEMNITY FUND

Amount \$90.00

PROBATION FUND

Amount \$180.00

DRUG EDUCATION FUND

Amount \$400.00

Note: RETRO TO TIME OF ARREST- DEFENDANT TO SERVE NO
MORE THAN 3 YEARS

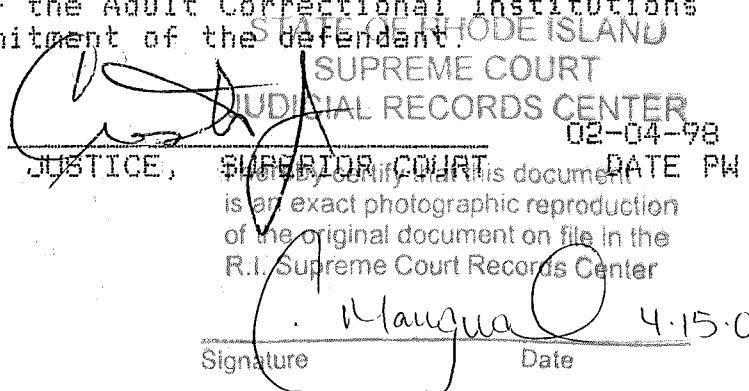
as charged in the INFORMATION and the COURT having asked the
defendant whether he/she has anything to say why judgment should not be
pronounced, and no sufficient cause to the contrary being shown or
appearing to the COURT,

IT IS ADJUDGED that the defendant IS GUILTY as charged
and convicted.

IT IS ORDERED that the Clerk deliver a certified copy of this
judgment to the Proper Authority of the Adult Correctional Institutions
and that the copy serve as the commitment of the defendant

TRUE COPY
ATTEST


CLERK


STATE OF RHODE ISLAND
SUPREME COURT
JUDICIAL RECORDS CENTER
02-04-98
JUSTICE, SUPERIOR COURT DATE PW
is an exact photographic reproduction
of the original document on file in the
R.I. Supreme Court Records Center
Signature Date
4-15-05

PROVIDENCE, Sc.

SUPERIOR COURT

State of Rhode Island

vs.

CASE NO. P2980402A

JOEL FRANCISCO

JUDGMENT OF CONVICTION
AND COMMITMENT

On this date, 02-13-98 came the attorney for the State,
 PAGE and the defendant who appeared in person and by
 counsel, namely DAVID A COOPER before Judge MCATEE

IT IS ADJUDGED that the defendant upon a PLEA of NOLO CONTENDERE
 of the offense(s) of:

COUNT 001 POSS SCH I/II/III/IV/V CNTRL SUBS

FULL SENTENCE 3 Year(s)

TERM TO SERVE 1 Year(s) Effective Date 11-20-97

SUSPENDED 2 Year(s)

PROBATION 2 Year(s) TO COMMENCE ON RELEASE

DRUG EDUCATION FUND
Amount \$400.00 TO COMMENCE ON RELEASEINDEMNITY FUND
Amount \$180.00 TO COMMENCE ON RELEASEPROBATION FUND
Amount \$300.00 TO COMMENCE ON RELEASE

as charged in the INFORMATION and the COURT having asked the defendant whether he/she has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the COURT,

IT IS ADJUDGED that the defendant IS GUILTY as charged and convicted.

IT IS ORDERED that the Clerk deliver a certified copy of this

PROVIDENCE, Sc.

SUPERIOR COURT

State of Rhode Island

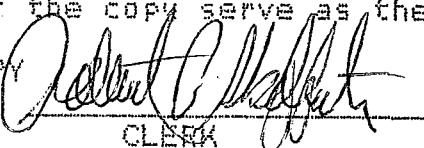
vs.

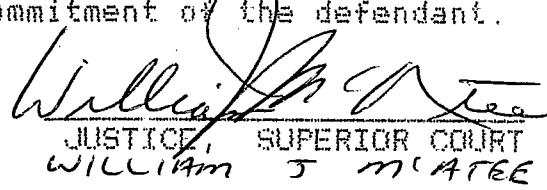
CASE NO. P2980403A

JOEL FRANCISCO

judgment to the Proper Authority of the Adult Correctional Institutions
and that the copy serve as the commitment of the defendant.

TRUE COPY
ATTEST

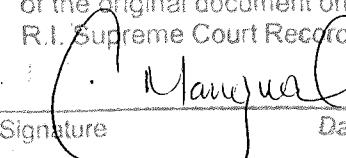
 CLERK


WILLIAM J. McATEE
JUSTICE, SUPERIOR COURT

02-13-98
DATE DAY

STATE OF RHODE ISLAND
SUPREME COURT
JUDICIAL RECORDS CENTER

I hereby certify that this document
is an exact photographic reproduction
of the original document on file in the
R.I. Supreme Court Records Center

 Mangua
Signature Date 4-15-05